

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

Abraham O. Ituah

Chapter 13 Bankruptcy

Debtor

Case No. 18-35408cgm

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**DEBTOR'S MOTION FOR VOLUNTARY DISMISSAL OF CHAPTER 13 CASE**

I, Abraham O. Ituah/Debtor hereby move this court for an order dismissing the above-entitled bankruptcy case pursuant to 11 U.S.C. § 1307 (b) and LBR 3015-1(q)(1) and the Debtor cannot afford Attorney or pay \$7500 for appraisal fee in all the properties owned as the Trustee requested.

1. The above-entitled case was commenced by the filing of voluntary petition under chapter 13 and has not been converted under 11 U.S.C. § 706, 1112, OR 1208;
2. The following motion for relief from automatic stay was granted and is on appeal with circuit court for decision;

**Filing Date: 11/20/2018**

**Movant: Cool Spaces LLC**

**Real Property located: 3843 Fairmount Avenue, Philadelphia, PA 19104**

**Status: Pending**

FILED  
US BANKRUPTCY COURT  
2018 DEC -6 A 11:50  
POUGHKEEPSIE, NY

**3. Debtor has made the following arrangement with the creditors identified below in connection with the repayment plan for dismissal:**

**(a) The city of Philadelphia**

**(b) The city of Newburgh**

**(c) The city of Chester**

**(d) Pennsylvania Revenue Bureau already received a filed personal income tax 2013**

**The Attorney representing the following listed creditors would not allow their clients to discuss settlement with the Debtor since individual will not have no direct contact with creditors while under chapter 13 protection.**

**(e) JP Mortgage Chase**

**Address: 508 W. Tabor Road, Philadelphia, PA**

**(f) Bank of America**

**Address: 212 S. Edgewood Street, Philadelphia**

**(g) Bank of America/Wilmington Trust, and**

**Address: 33 S 53<sup>rd</sup> street, Philadelphia, PA**

**(h) Bank of America/Wilmington Trust Savings society**

**Address: 2507 N. 19<sup>th</sup> street, Philadelphia**

**The staffs agreed to resume discussion on settlement after the case is dismissed.**

**4, Debtor seeks dismissal of this case for the following reasons:**

**The Debtor is willing to sell all the properties owed to settle all the legitimate creditors.**

**1700 N Dover Street, Philadelphia, PA 19121\***

**1208 Remington Avenue, Chester PA**

**4021 Neilson Street, Philadelphia, PA**

**3301 A street, Philadelphia, PA**

**3765 N. Bouvier Street, Philadelphia, PA**

**4624 N. 12<sup>th</sup> Street, Philadelphia PA**

**5551 Morris Street, Philadelphia, PA**

**\* Offer received and Title Company is ready for settlement.**

**Debtor hereby request for urgent dismissal of the voluntary chapter 13 so that can sell the property and implement the plan to settle the creditors.**

**Respectfully Submitted,**

  
**Abraham O. Ituah**

**Debtor Date** 12/6/2018

**Debtor**

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**ORDER**

AND NOW, this        day of        , 2018, upon consideration of  
Debtor's Motion for voluntary dismissal of chapter 13 Case; it is hereby ORDERED that  
the request is granted.

**BY THE COURT:**

**Judge Cecelia G. Morris**

**U.S. Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT  
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IN RE:

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Debtor

Chapter 13 Bankruptcy

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**CERTIFICATE OF SERVICE**

I certify that the foregoing paper will be served electronically on the entities specified in the Notice of Electronic Filing to be issued by the electronic case filing system. I further certify that the foregoing paper was served by mail on the following, at the following addresses, on 12/5/, 2018:

**United States Trustee**

**74 Chapel Street**

**Albany, NY 12207-2190**

**Krista M. Preuss Chapter 13 Standing Trustee**

**399 Knollwood Road  
White Plains, NY 10603-1931**

**Abraham O Ituah  
92 Robinson Avenue**

**Newburgh, NY 12550-4402**

**BANK OF AMERICA, N.A.**

**16001 NORTH DALLAS PARKWAY**

**CARROLLTON, TX 75006**

**Central Hudson Gas and Electri**

**284 South Avenue**

**Poughkeepsie, NY 12601-4839**

**Lorie Patterson  
c/ David H. Denenberg Abrahamson's Denenberg PC**

**1315 Walnut St. 12fl**

**Philadelphia, PA 19107-4719**

**MYRA LOPEZ  
3301 A STREET**

**PHILADELPHIA, PA 19134-1601**

**TREASURER OFFICE, CHESTER, PA**

**1 FOURTH STREET  
CHESTER, PA 19013-4400**

**FATIMA  
2153 66TH AVENUE**

**PHILADELPHIA, PA 19138-2627**

**NEWBURGH CITY HALL  
1ST FLR  
83 BROADWAY  
NEWBURGH, NY 12550-5617**

**Pennsylvania Department of Revenue Bankruptcy Division**

**PO BOX 280946 Harrisburg, PA 17128-0946**

**United States Trustee 74 Chapel Street Albany, NY 12207-2190**

**COOL SPACES, LLC  
105 ACADMY LANE**

**BROOMALL, PA 19008-1925**

**MICHELLE KELSON Corporation Counsel  
The City of Newburgh  
83 Broadway, City Hall**



**Newburgh, New York 12550**

**Verizon**

**by American InfoSource LP as agent PO Box 248838  
Oklahoma City, OK 73124-8838**

**Wilmington Trust, not in its individual capa c/o Stern & Eisenberg, PC  
485B Route 1 South, Suite 330  
Iselin, NJ 08830-3067**

**The preferred mailing address (p)  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and  
Fed.R.Bank.P. 2002 (g)(4).**

**City of Philadelphia  
c/o Pamela Elchert Thurmond  
1401 John F. Kennedy Blvd., Room 580 Philadelphia, PA 19102**

**(d)CITY OF PHILADELPHIA 1401 JFK, 5TH FLR PHILADELPHIA, PA 19102**

**(d)City of Philadelphia  
Law Department  
1401 John F. Kennedy Blvd., Room 580 Philadelphia, PA 19102**

**Margaret J. Cascino**  
Stern & Eisenberg, P.C.  
485B Route 1 South  
Suite 330  
Iselin, NJ 08830  
516-630-0288  
732-726-8719 (fax)  
mcascino@sterneisenberg.com  
*Assigned: 04/09/2018*

representing

**Wilmington Trust, not in its  
individual capacity but solely as  
owner trustee for the OSAT BPL  
Trust 16-00001**  
c/o Stern & Eisenberg, PC  
485 B Route 1 South  
Suite 330  
Iselin, NJ 08830  
*(Creditor)*

**Michael Chatwin**  
Shapiro, DiCaro & Barak, LLC  
250 Mile Crossing Blvd.  
Rochester, NY 14624  
585-247-9000  
585-247-7380 (fax)  
mchatwin@logs.com  
*Assigned: 04/18/2018*

representing

**JPMorgan Chase Bank, National  
Association**  
c/o Shapiro, DiCaro & Barak, LLC  
One Huntington Quadrangle, Suite  
3N05  
Melville, NY 11747  
631-844-9611  
*(Creditor)*

**Nicole M Massi**  
Knuckles, Komosinski, &

representing

**Wilmington Savings Fund Society,  
FSB, doing business as Christiana**

Manfro LLP  
561 Taxter Road  
Suite 590  
Elmsford, NY 10523  
914-345-3020  
914-992-9154 (fax)  
nmm@kkmlp.com  
*Assigned: 04/03/2018*

**Trust, not in its individual capacity,  
but solely as trustee for BCAT 17-  
00019TT**  
Knuckles, Komosinski & Manfro,  
LLP  
565 Taxter Road, Suite 590  
Elmsford, NY 10523  
9143453020  
9149929154 (fax)  
NMM@KKMLLP.COM  
(Creditor)

**Peter George Mylonas**  
2725 West Chester Pike  
Broomall, PA 19008  
610-355-1000  
peter.mylonas@mylona.com  
*Assigned: 05/04/2018*  
**LEAD ATTORNEY**

representing

**Cool Spaces, LLC**  
(Creditor)

**Sara A Tilzer**  
565 Taxter Road  
Elmsford, NY 10523  
914-345-3020  
sat@kkelaw.com  
*Assigned: 05/02/2018*

representing

**Wilmington Savings Fund Society,  
FSB, doing business as Christiana  
Trust, not in its individual capacity,  
but solely as trustee for BCAT 17-  
00019TT**  
Knuckles, Komosinski & Manfro,  
LLP  
565 Taxter Road, Suite 590  
Elmsford, NY 10523  
9143453020  
9149929154 (fax)  
NMM@KKMLLP.COM

**Alexandros E. Tsionis**  
Shapiro, DiCaro & Barak, LLC  
One Huntington Quadrangle,  
Suite 3N05  
Melville, NY 11747  
631-844-9611  
631-844-9525 (fax)  
atsionis@logs.com

representing

**JPMorgan Chase Bank, National  
Association**  
c/o Shapiro, DiCaro & Barak, LLC  
One Huntington Quadrangle, Suite  
3N05  
Melville, NY 11747  
631-844-9611

This 5th day of December, 2018.

**Abraham O. Ituah**

**Debtor's Signature**







Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: Abraham Truck  
92 Robinson Ave  
Newburgh NY 12550  
To: Paula D. American  
16001 North Dallas  
Carrollton TX 75006

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID  
NEWBURGH, NY  
DEC 06 18  
12550  
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\$1.40  
AMOUNT



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From: Abraham Truck  
92 Robinson Ave  
Newburgh NY 12550  
To: Peter George Munnaster  
Clenfold Square LLC, 111115, 11115, 11115  
2-725 West Chester Pike  
Broomall, PA 19008

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From: Abraham Truck  
92 Robinson Ave  
Newburgh NY 12550  
To: Michele Kellan Egg  
Corporation Counsel  
83 Broadway, City Hall  
Newburgh NY 12550

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92 Robinson Ave  
Newburgh NY 12550  
To: Pennsylvania Dept of Rev  
20 Box 280946  
Harrisburg, PA 17128

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From: Abraham Truck  
92 Robinson Ave  
Newburgh NY 12550  
To: Krista M. Preuss (Trustee)  
399 Knowlton Road  
White Plains NY 10603

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From: Abraham Truck  
92 Robinson Ave  
Newburgh, NY 12550  
To: Treasurer Office, Chester  
4 Fourth Street  
Chester PA 19013-44

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92 Robinson Ave  
Newburgh NY 12550

To: Central Hudson Gas & Elec  
284 South Ave  
Poughkeepsie, NY 12601

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From: Abraham Ituah  
92 Robinson Ave  
Newburgh NY 12550

To: Alexandros E. Tsionas  
Chief JP Morgan Chase Bank NA  
One Huntington Quadra  
Suite 3N05, Melville NY

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From: Abraham Ituah  
92 Robinson Ave  
Newburgh NY 12550

To: Michael Chatwin Esq.  
JP Morgan Chase Bank (li)  
250 Mile Crossing Blvd  
Rochester NY 14624

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From: Abraham Ituah  
92 Robinson Ave  
Newburgh NY 12550

To: Margaret J. Caslino Esq.  
Wilmington Trust (Client 1)  
485 B Route 1 South Suite 33  
Iselin NJ 08830

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From: Abraham Ituah  
92 Robinson Ave  
Newburgh NY 12550

To: Nicole M. Massi Esq.  
Wilmington Savings Fundbr.  
561 Texeter, Suite 590  
Elmsford NY 10523

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AMOUNT

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